

EXPRESS MAIL CERTIFICATE

Date 5/18/01 Label No. 8706740622US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

Name (Print) DBPek Signature [Signature]

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No: 3118/1H146US1

**DARBY & DARBY P.C.**

805 Third Avenue  
New York, New York 10022  
212-527-7700

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

RECEIVED  
MAY 24 2001  
OJPE/JCW/S

Enclosed please find an application for United States patent as identified below:

Inventor/s (name ALL inventors): Robert D. Mass  
Mill Valley, CA

Title: GENE DETECTION ASSAY FOR IMPROVING THE LIKELIHOOD OF AN EFFECTIVE RESPONSE TO AN ERBB ANTAGONIST CANCER THERAPY

including the items indicated:

1. Specification and 23 claims: 4 indep.; 19 dep.; \_ multiple dep.; including 33 page(s) of written description; 4 page(s) of claims; 1 page(s) of abstract.
2. ☐ Drawings, \_ sheets (Figs. )
3. ☐ Executed Declaration/Power of Attorney  
☒ Unexecuted Declaration/Power of Attorney
4. ☐ Application Data Sheet under 37 C.F.R. §1.76.

5. ☐ Assignment for recording to:

☐ Assignment was recorded at Reel No. , Frame No. , on .

☒ Pursuant to 37 C.F.R. §1.215(b), please print the following assignment information on the face of the published application:

Assignee: Genentech Inc.

6. ☐ The applicant claims small entity status.

7. ☐ Priority is claimed under 35 U.S.C. §119(b) of:

Country:

Number:

Date:

A certified copy of the prior document ☐ is enclosed ☐ will follow  
☐ was filed in a previous application.

8. ☒ Priority is claimed under 35 U.S.C. §119(e) of:

Number: 60/205,754

Date: May 19, 2000

A certified copy of the prior document ☐ is enclosed ☐ will follow  
☐ was filed in a previous application.

9. ☐ Request and Certification under 35 U.S.C. §122(b)(2)(B)(i) for Nonpublication.

10. ☐ Payment in amount of \$844.00, (\$844 filing; \$0 recording)  
in the form of  
☐ check  
☐ deposit account no. 04-0100  
☐ credit card (see attached form)

(See attached **Fee Computation Sheet**)

- 11. ☐ Preliminary Amendment
- 12. ☐ Information Disclosure Statement
- 13. ☐ Nucleotide or Amino Acid Sequence Listing.

☐ Hard Copy      ☐ CRF

Date: May 18, 2001

Respectfully submitted,



Raina Semionow, Esq.

Reg. No. 39,022

Attorney for Applicant(s)

FILED FOR FEE

PATENT FEE COMPUTATION SHEET

	No. of Claims Presented	Extra Claims Previously Paid For	Number of Extra Claims	Rate
Basic Fee . . . . .				\$710.00
Total Claims	23 - 20	- 0 = 3	x \$18.00	\$54.00
Independent Claims	4 - 3	- 0 = 1	x \$80.00	\$80.00
Multiple Dependent Claims		- if so, add	\$270.00	\$0.00
Surcharge for late submission of filing fee and/or declaration (\$130.00)				\$0.00
SUBTOTAL . . . . .				\$844.00
Small Entity REDUCTION (Half of Subtotal) . . . . .				\$0.00
Fee for recordation of assignment (\$40.00) . . . . .				\$0.00
Charge for filing non-English language application (\$130.00) . . . . .				\$0.00
TOTAL . . . . .				\$844.00